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Attorneys for Defendants
eBay Inc. and PayPal, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CHARLOTTE SMITH, et al.,

Plaintiffs,

vs.

EBAY CORP., et al.,

Defendants.

CASE NO. C-10-03825-JSW

**ADR STIPULATION AND ~~PROPOSED~~
ORDER**

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civ. L.R. 16 and ADR L.R. 3-5:

As the parties stated in the Joint Case Management Statement:

The parties have conferred concerning the likelihood of settlement. There have been no settlement negotiations thus far, and none are planned at this time. Both counsel for Plaintiff and Defendants are experienced in class actions. Should the parties elect to engage in settlement discussions, the parties are familiar with appropriate private mediators.

Joint CMC Stmt., at § 12.

The parties agree that ADR is unlikely to be productive at this time, but preliminarily agree that mediation is preferable to other forms of ADR for this case. Should ADR become

1 necessary, the parties agree to meet and confer to identify a private mediator acceptable to both
2 parties.

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4 DATED: July 2, 2012

THOMAS P. BROWN
SAMUEL C. ZUN
PAUL HASTINGS LLP

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7 By: /s/ Thomas P. Brown
THOMAS P. BROWN

8 Attorneys for Defendants
9 eBay Inc. and PayPal, Inc.

10 DATED: July 2, 2012

PETER W. MACUGA II
MACUGA, LIDDLE, & DUBIN P.C.

11
12 By: /s/ Peter W. Macuga II
13 PETER W. MACUGA II

14 Attorneys for Plaintiffs

15 **IT IS SO ORDERED: The Court advises the parties that it will expect them to go through**
16 **some form of an ADR process during the pendency of this litigation.**

17 Dated: July 2, 2012


18 Hon. Jeffrey S. White
United States District Judge

19
20 I, Thomas P. Brown, am the ECF User whose ID and password are being used to file this ADR
21 Stipulation and [Proposed] Order. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that
22 Peter W. Macuga II has concurred in this filing.
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